

PTO/SB/17p (11-04)

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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/648,013
Filing Date	08/26/2003
First Named Inventor	Sipe
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	03025

Enclosed is a petition filed under 37 CFR 1.84 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

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☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☐ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☒ Check in the amount of \$ 130 is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.

§ 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

Signature

Robert W. Pitts

Typed or printed name

07/01/2005

Date

27372

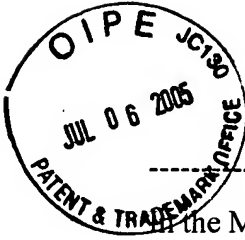
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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07/07/2005 CCHRU1 00000009 10648013

130-00-0P
01 FC-1464



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In the Matter of the Application of : Sipe

Serial No.: 10/648,013

Filed: 08/26/2003

For: Method of Preserving *Ceratomia Catalpae* Larvae for Use as Fishing Bait

Examiner: Unknown

Group Art Unit: Unknown

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Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

PETITION TO ACCEPT COLOR DRAWINGS PURSUAN TO RULE 1.84 (C)

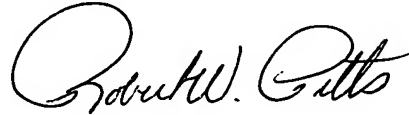
Applicant petitions to office to accept color drawings as part of this application. Color drawings are believed to be appropriate in this case because the invention is directed to a method of preserving *Ceratomia Catalpae* larvae or catalpa worms for use as fishing bait. The appearance and color of the preserved larvae are important for their effective use as a fishing bait, and for this reason granting of this petition is believed to be appropriate. This petition includes:

- i) The fee set forth in Section 1.17 (h)
- ii) Three (3) sets of original color photographs, and three sets of color reproductions as employed as Figures 11-13 of the application as filed.
- iii) Black and white photocopies that accurately depict the subject matter shown in the original color photographs and in color Figures 11-13.
- iv) An amendment to the specification to insert the following language as the first paragraph of the brief description of the drawings.

“The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.”

This petition is being submitted together with a Petition to Revive and Unintentionally Abandoned Application, which arose through the error of applicant's attorney and was related to the manner and timing of submitting color drawings or photographs for inclusion in this application.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Robert W. Pitts". The signature is fluid and cursive, with the first name "Robert" and last name "Pitts" clearly legible.

Robert W. Pitts
Registration No. 27372
Attorney for Applicants
Phone: 336-760-9565